

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:
AT HYDERABAD

O.A.No.523 OF 1999.

DATE OF ORDER:7-4-1999

BETWEEN:

P.V.Jogayya.

.....Applicant

a n d

1. The Chief General Manager,
Telecommunications, Govt. of India,
Hyderabad-500 001.

2. The Divisional Engineer, Telegraphs,
Eluru, West Godavari District.

.....Respondents

COUNSEL FOR THE APPLICANT :: Mr.M.R.Tagore

COUNSEL FOR THE RESPONDENTS:: Mr.V.Rajeshwara Rao

CORAM:

THE HON'BLE SRI R.RANGARAJAN, MEMBER (ADMN)

A N D

THE HON'BLE SRI B.S.JAI PARAMESHWAR, MEMBER (JUDL)

: O R D E R :

ORAL ORDER (PER HON'BLE SRI B.S.JAI PARAMESHWAR, MEMBER (J))

Heard Mr.M.R.Tagore, learned Counsel for the
Applicant and Mr.V.Rajeshwara Rao, learned Standing
Counsel for the Respondents.

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2. The applicant herein was engaged as Short Duty Telephone Operator for a period of 120 days from 1-11-1980. He was discharged from duties with effect from 1-5-1981.

3. The applicant relying on the decision of this Tribunal in OA.No.1784 of 1992, decided on 24-5-1993, has filed this OA praying for a declaration that the action of the respondents in not absorbing him as a Telephone Operator/Office Assistant on par with other similarly situated candidates is highly illegal, arbitrary and unconstitutional, and for a consequential direction to the respondents to absorb him as Office Assistant/Telephone Operator with all consequential benefits.

4. The applicant herein was discharged on 1-5-1981. After a lapse of nearly 18 years, he has approached this Tribunal. The applicant has not explained this long delay. He has also failed to approach this Tribunal soonafter the decision in OA.No.1784 of 1992 was given. The only reason given by the applicant is that he was representing his case to the respondents. Repeated representations will not extend the period of limitation. The applicant submits that the other similarly situated persons has been appointed. There is nothing quoted here in regard to that similarly situated persons. The learned Counsel for the Respondents submits that no such other similarly situated person has been appointed.

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5. Even without this reply from the respondents this OA has to be dismissed as the applicant failed to approach this Tribunal in time. Even if in accordance with the directions in OA.No.1784 of 1992, the applicant gets the relief as prayed for, the same cannot be granted because of the delay and latches.

6. The OA is dismissed for delay and latches. However, we make it clear that this dismissal order will not stand in the way of the applicant to get engagement if the departmental authorities allow him to join.

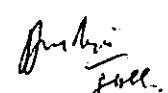

(B.S. JAI PARAMESHWAR)
7. MEMBER (JUDL)


(R.RANGARAJAN)
MEMBER (ADMN)

DATED: this the 7th day of April, 1999

Dictated to steno in the Open Court

DSN



COPY TO:-

1. HON. J
2. HHRP. M(A)
3. HOSJP M(J)
4. B.R. (A)
5. SPARE

1ST AND 2ND COURT

TYPED BY
COMPARED BY

CHECKED BY
APPROVED BY

THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH : HYDERABAD.

THE HON'BLE MR. JUSTICE D.H. NASIR :
VICE - CHAIRMAN

THE HON'BLE MR. H. RAJENDRA PRASAD :
MEMBER (A)

THE HON'BLE MR. R. RANGARAJAN :
MEMBER (A)

THE HON'BLE MR. B.S. JAI PARAMESWAR :
MEMBER (J)

DATED: 7/4/99

ORDER / JUDGEMENT

M.A./R.A./C.P.R.O.

IN

C.A. No. 523/99

ADMITTED AND INTERIM DIRECTIONS.
ISSUED.

ALLOWED.

C.P. CLOSED.

R.A. CLOSED.

DISPOSED OF WITH DIRECTIONS.

DISMISSED.

DISMISSED AS WITHDRAWN.

ORDERED/REJECTED.

NO ORDER AS TO COSTS.

SRR

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
प्रेषण / DESPATCH

- 6 MAY 1999

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HYDERABAD BENCH